Remarks/Arguments

Claims 1, 4 and 22 have been amended. Claims 2, 3, 8, 9, 10, 11, 12, 15-19 and 23-38 have been deleted and claims 39-51 have been added. Enclosed herewith is our check in the amount of $360.00 in payment of the fee for the added claims. Please charge any other claims or additional fees for entry of this Amendment to our Deposit Account No. 03-3415.

The Examiner has rejected applicant's claims 4, 11 and 18 under 35 USC § 102(b) as anticipated by the Takayama (US 5,260,774) patent. Claims 1-3, 8-10, 15-17, 22, 24, 29, 30, 34 and 35 have been rejected under 35 USC § 103(a) as unpatentable based on the Saito, et al. (US 5,319,449) patent taken in view of the Sasakura (US 5,995,144) patent. Finally, claims 5, 12 and 19 have been rejected also under 35 USC §103(a) based on the Takayama patent taken with the Saito, et al. patent. With respect to applicant's claims, as amended, these rejections are respectfully traversed.

Applicant's independent claim 4 has been amended and applicant's independent claims 39 and 40 have been added to better define applicant's invention. More particularly amended claim 4 recites an electric camera comprising: a white balance correcting circuit for correcting white balance of a picked-up image by picking up an image of first object on the basis of white balance data obtained by picking up an image of second object; a focusing circuit arranged to drive a lens, wherein said lens is used for a focusing operation; and a control circuit for controlling to pick up the image of the second object without driving said lens used for said focusing operation after operation for picking up said image of said second object. Added independent method and medium claims 46 and 47 recite like features.

Added independent claim 39 recites an electric camera comprising: a white balance correcting circuit for correcting white balance of a picked-up image by picking up an image

of first object on the basis of white balance data obtained by picking up an image of second object; a focusing circuit arranged to perform decision of in-focus state and de-focus state; and a control circuit for controlling to pick up the image of the second object without performing decision of in-focus state and de-focus state. Applicant's independent method and medium claims 48 and 49 recite similar features.

Finally, added independent claim 40 recites an electric camera comprising: a white balance correcting circuit for correcting white balance of a picked-up image by picking up an image of first object on the basis of white balance data obtained by picking up an image of second object; a focusing circuit arranged to perform a focusing operation; and a control circuit for controlling to pick up the image of the first object by operating said focusing circuit on the basis of a first operation for providing an in-focus state, and for picking up the image of the second object by operating said focusing circuit on the basis of a second operation, different from said first operation, for providing an in-focus state. Added independent method and medium claims 50 and 51 recite like features.

Such constructions are not taught or suggested by the cited art of record. More particularly, the Takayama patent discloses an automatic focusing device in which color temperature information of a light source related to an object is detected on the basis of a video signal obtained by a first reading of an image sensor and a control means controls the white balance of a video signal obtained by a second reading of the image sensor based on the detected color temperature information. This patent also discloses that the apparatus comprises a lens for forming an optical image of the object on the sensor, focus adjusting means for adjusting the focus on the lens and means for adjusting the focus adjusting means to bring the focus lens to a defocus condition during the first reading from the image sensor.

Thus, in the Takayama patent, the focus adjusting means operates both during the second reading to focus the lens and during the first reading to cause defocus of the lens. This contrasts with the control circuits in applicant's independent claims 4 and 39 in which the image of the second object is picked without driving the lens (claim 4) or without performing a decision of in-focus state and de-focus state (claim 39). It further contrasts with applicant's independent claim 40 in which the control circuit controls pick up of a first object by operating a focusing circuit on the basis of a first operation for providing an in-focus state and controls pick up of a second object by operating the focusing circuit on the basis of a second operation, different from the first operation, for providing an in-focus state.

Applicant's independent claims 4, 39, 40, and their respective dependent claims, thus patentably distinguish over the Takayama patent. For similar reasons, applicant's independent claims 46-51 also patentably distinguish over the Takayama patent.

In the Saito, et al. patent, a first microcomputer detects brightness of an object and a condition of a divided light measurement judged from an open degree of an iris and outputs white balance control signals Rcont and Bcont. When a brightness of an object becomes higher than the previous memorized value and a mode of divided light measurement is changed, values of the white balance control signals Rcont and Bcont are changed. The Saito, et al. patent also discloses that the first microcomputer outputs an auto-focus control signal P1.

The Sasakura patent, on the other hand, discloses an automatic focusing device in which an image of an object is separated into two images A and B which are supplied to an AF sensor. A controlling part 14 responsive to the image data of the sensor then calculates a degree of correlation of the two images of the object and drives a lens 1 based thereon,

thereby bringing the lens into focus. More particularly, the Sasakura patent teaches that a first calculation of the amount of correlation is made by using a smaller number of pixels of the image data of the object and a larger amount of shifting, and the lens 1 is driven on the basis of the result of the first calculation. After the lens is driven, if the amount of correlation needs to again be calculated, a calculation of the amount of correlation is executed by using a larger number of pixels of the image data of the object and a smaller amount of shifting.

Neither patent thus appears to disclose white balance correction of a picked-up image of a first object on the basis of white balance data obtained by picking up an image of a second object , in combination with, a control circuit for picking up the image of the second object without driving a lens (claim 4) or without performing a decision of in-focus state and de-focus state (claim 39), or in combination with, a control circuit which controls pick up of a first object by operating a focusing circuit on the basis of a first operation for providing an in-focus state and pick up of a second object by operating the focusing circuit on the basis of a second operation, different from the first operation, for providing an in-focus state (claim 40).

In the cited Saito, et al. patent nothing is stated as to the details of the focusing operation. In the Sasakura patent, the first and second focusing operations using the smaller and larger number of pixels are conducted for the same object and while moving and focusing the lens. Applicant's, independent claims 4, 39 and 40, and their respective dependent claims, thus patentably distinguish over the Saito, et al. and the Sasakura patents. Like arguments apply to claims 46-51.

In view of the above, it is submitted that applicant's claims, as amended, patentably distinguish over the cited art of record. Accordingly, reconsideration of the claims is

respectfully requested.

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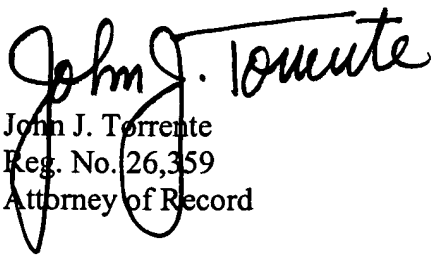
Respectfully submitted,



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